

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Yves Claude Nicolau, et al.

Serial No: 10/069,414

Filed: February 24, 2002

For: Agents For The Enhanced Oxygen  
Delivery In Mammals

Art Unit: Not Yet Assigned

Attorney Document No. GMX-003.01

## CERTIFICATE OF FIRST CLASS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231, on August 13, 2002.

Terrill Williams  
Terrill WilliamsRESPONSE TO NOTICE TO FILE MISSING PARTS

Box Missing Parts  
Commissioner for Patents and Trademarks  
Washington, DC 20231

Sir:

Enclosed are two executed combined Declaration and Power of Attorney for Patent Application 10/069,414. Also enclosed is a copy of the Notice to File Missing Parts and a check totaling \$252.00 (fee for 57 claims over 20).

Although we believe that we have submitted the correct amount to cover the above-listed items, the Commissioner is authorized to credit any overpayment or charge any deficiencies to our Deposit Account No. 06-1448.

08/21/2002 MKAYPAGH 00000019 10069414

01 FC:967

252.00 OP

Respectfully Submitted,

Date: August 13, 2002Dana Gordon

Customer No: 25181  
Patent Group  
Foley, Hoag, LLP  
155 Seaport Blvd.  
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Dana M. Gordon, Ph.D., J.D.  
Reg. No. 44,719

*CW*

## UNITED STATES PATENT AND TRADEMARK OFFICE

GMX-00301

Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/069,414	Yves C Claude Nicolau	GMV-003.01
<i>Missing Requirements DUE: 8/25/02 FINAL: 1/25/03</i>		INTERNATIONAL APPLICATION NO.
		PCT/US00/22583
		I.A. FILING DATE
		PRIORITY DATE
		08/17/2000      08/25/1999
CONFIRMATION NO. 3270		
371 FORMALITIES LETTER		
*OC000000008338112*		

Date Mailed: 06/25/2002

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination
- Small Entity Statement

**RECEIVED**

JUL 02 2002

PATENT DEPT.  
DOCKETING

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (wher 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions

of 37 CFR 1.136(a).

Additionally the following defects have been observed;

- Additional claim fees of \$252 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$252 for a Small Entity:

- Total additional claim fee(s) for this application is \$252
  - \$252 for 57 total claims over 20.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice MUST be returned with the response.*

PATRICIA A BOOKER

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Telephone: (703) 305-3738

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/069,414	PCT/US00/22583	GMV-003.01

FORM PCT/DO/EO/905 (371 Formalities Notice)



COPY OF PAPERS  
ORIGINALLY FILED

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19 AUG 2002

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Terrill Williams  
Terrill Williams

### CHANGE OF DOCKET NUMBER

Assistant Commissioner for Patents  
Washington, DC 20231

RECEIVED

APR 18 2003

(1) Please change our Docket Number to: GMX-003.01

TECH CENTER 1600/2900

Respectfully Submitted,

Dana Gordon

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Date: August 13, 2002

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